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**SECRETARIAT OF
 ELECTION COMMISSION OF INDIA**

No. 76/TP-LA/44/2018

Dated:

16th March, 2020
26th Falguna 1941 (Saka)**ORDER**

WHEREAS, the General Election to the Legislative Assembly of Tripura, 2018 was announced by Election Commission of India vide Press Note No. ECI/PN/3/2018 dated 18.01.2018. As per the schedule Date of Counting was 15.03.2018;

AND WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of his/her account of election expenses within 30 days with the District Election Officer, from the date of election of the returned candidate;

AND WHEREAS, the result of the said election was declared by the concerned Returning Officers including 44-Raima Valley (ST) Assembly Constituency on 03.03.2018. As such the last date for lodging of account of election expenses was 02.04.2018;

AND WHEREAS, as per the report dated 31.03.2018 submitted by the District Election Officer, Dhalai District, Tripura, Shri Khagendra Reang, a contesting candidate of Tripura People's Party from 44-Raima Valley (ST) Assembly Constituency of Tripura, failed to lodge any account of his election expenses as required by law;

AND WHEREAS, on the basis of the reports of the District Election Officer, Dhalai District, Tripura, a Show-Cause Notice dated 08.01.2019 was issued by the Election Commission of India under Sub Rule (5) of Rule 89 of the Conduct of Election Rules, 1961 to Shri Khagendra Reang for non submission of Election expenses;

AND WHEREAS, as per Sub Rule (6) of Rule 89 of the Conduct of Election Rules, 1961, through the above said Show Cause Notice dated 16.09.2019, Shri Khagendra Reang was directed to submit his representation in writing to the Commission explaining the reason for non submission of accounts and also to lodge his accounts of election expenses/rectify the defects in his accounts

and submit the same with the District Electoral Officer concerned within 20 days from the date of receipt of the notice;

AND WHEREAS, the said notice was received by Shri Khagendra Reang on 31.01.2019. Acknowledgement receipt so obtained from the candidate have been submitted to the Commission by the District Election Officer, Dhalai, vide his letter No. F.18(22)/DM(D)/ELEC/EEM(I.S)/2019/3656-58 dated 25.02.2020 and forwarded by the Chief Electoral Officer, Tripura vide his letter No. F.19(60)-CEO/EEM/2018/1568 dated 27.02.2020;

AND WHEREAS, in the supplementary report the District Election Officer, Dhalai District vide his letter No. F.18(22)/DM(D)/ELEC/EEM(I.S)/2019/3656-58 dated 25.02.2020 has stated that despite of Notice being acknowledged by the defaulting candidate, no supplementary report has been received by his office till date from Shri Khagendra Reang. Further, he has neither furnished any reason nor explanation for the said failure even after receipt of the due notice to the Election Commission of India as well;

AND WHEREAS, the Commission is satisfied that Shri Khagendra Reang has failed to lodge an account of election expenses and has no good reason or justification for the failure;

AND WHEREAS, Section 10 A of the Representation of the People Act, 1951 stipulates that:-

“If the Election Commission is satisfied that a person-

(a) Has failed to lodge an account of election expenses within the time and in the manner required by or under this Act; and

(b) Has no good reason or justification for the failure

the Election Commission shall, by order published in the official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order;

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares Shri Khagendra Reang, resident of Vill-Uriham Para, PO-Bulongbassa, PS-Gandacherra, District-Dhalai, Tripura and the contesting candidate of Tripura People's Party for the General Election to the Legislative Assembly, 2018,

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from 44-Raima Valley (ST) Assembly Constituency of the State of Tripura, to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

(ARVIND ANAND)
SECRETARY
ELECTION COMMISSION OF INDIA